

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7803

BILL NUMBER: HB 1919

DATE PREPARED: Jan 22, 1999

BILL AMENDED:

SUBJECT: Permit accountability time frames.

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FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (1) This bill requires the commissioner of the Department of Environmental Management to approve or deny permits: (a) within 150 days for an application for a minor new National Pollutant Discharge Elimination System general permit (current law requires the commissioner to act within 180 days); (b) within 90 days for a permit concerning a wastewater facility or wastewater facility construction (current law requires the commissioner to act within 120 days); and (c) within 50 days for an application concerning certification of special wastes.

(2) It also requires the commissioner to determine that a permit application is incomplete not later than 35 working days after receiving the application and to determine that a response to a deficiency notice is incomplete not later than 20 days after receiving the response.

(3) It requires the Environmental Quality Service Council to review permit accountability time frames.

Effective Date: July 1, 1999.

Explanation of State Expenditures: (1) This provision reduces the number of days that the Indiana Department of Environmental Management (IDEM) has to approve or deny certain permit applications. The current and proposed number of days for the four affected permits are listed below.

	Current	Proposed
Minor New National Pollutant Discharge		
Elimination System (NPDES) General Permit	180	150
Wastewater Facility Construction Permit	120	90
Water Facility Construction Permit	120	90
Special Waste Certification	60	50

It is estimated that NPDES permits and special waste certifications can be approved or denied within the

proposed specified time frame without a fiscal impact. Water and wastewater facility construction permit staff may need to work an indeterminable amount of overtime to either approve or deny the applications within the proposed specified time frame. Overtime expenses would be paid out of the Environmental Management Permit Operation Fund.

(2) This provision requires IDEM to determine that a permit application is incomplete and to issue a notice of deficiency not later than 35 working days after receiving the application. It also reduces the number of days that IDEM has to review an applicant's response to a notice of deficiency from 30 working days to 20.

Based on the number of applications filed and current staffing levels, it is estimated that solid and hazardous waste permit staff will need to work an estimated 12,300 hours of overtime at a cost of almost \$200,000 per year. In addition, it is estimated that IDEM will need to hire two temporary staff to help with wastewater land applications. Temporary staff would be required since all the approximately 110 applications received each year expire at the same time. The estimated cost for the temporary staff is \$10,000 per year. These expenses would be paid of the Environmental Management Permit Operation Fund.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana Department of Environmental Management; General Assembly.

Local Agencies Affected:

Information Sources: Erika Seydel Cheney, Indiana Department of Environmental Management, 232-8598.